

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID DELVA,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

19-CV-3623 (JMF)

12-CR-0802-4 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

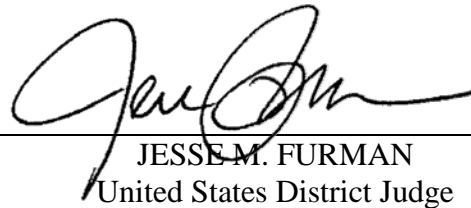
On October 22, 2019, Movant David Delva filed a motion to amend his motion under 28 U.S.C. § 2255. *See* 12-CR-802, ECF No. 298. On October 31, 2019, the Court entered an order directing the Government to file any opposition to the motion to amend by November 14, 2019, and granting Movant until December 2, 2019 to file a reply. *See* 12-CR-802, ECF No. 300. The Government filed its opposition on November 14, 2019. *See* 12-CR-802, ECF No. 300. The same day, the Clerk docketed — albeit only in 19-CV-3623 — a document filed by Movant styled “Motion Requesting Leave to Supplement Title 28 U.S.C. § 2255 Motion in Light of *Rehaif v. United States* 139, S. Ct. 2191, 204 L. Ed. 2d 594 (2019).” 19-CV-3623, ECF No. 15.

As the new motion seeks substantially similar relief as Movant’s earlier motion, it is denied as duplicative and the Court will disregard it. Movant may incorporate any arguments that he wants to make in his reply, which — per the Court’s Order of October 31, 2019 — is due by December 2, 2019.

The Clerk of Court is directed to (1) docket the document filed as ECF No. 15 in 19-CV-3623 in 12-CR-802 (but not as a live motion); (2) terminate ECF No. 15 in 19-CV-3623; and (3) mail a copy of this Order to Movant.

SO ORDERED.

Dated: November 15, 2019
New York, New York



JESSE M. FURMAN
United States District Judge